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ATTN: Kim Huynh

Examiner of

10/605, 157

Art Unit 2182

11 sheets excluding cover

To Fax 703 872-9306

OCT 05 2005

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/605,157

Applicant(s)

GUTOWITZ, HOWARD
ANDREW

Examiner

Everett R. Williams

Art Unit

2187

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 29 August 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Method and Apparatus for Text Entry Based On Trigger Sequences. Gutowitz. Contact
212-337-3322 x110

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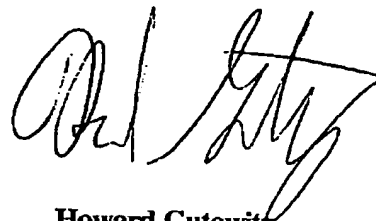
In the USPTO

Communication Responsive to OA signed June 29, 2005
Re: Method and Apparatus for Text Entry Based on Trigger Sequences,
Application/Control Number 10/605,157
Art Unit: 2182
Examiner: Kim Huynh
By fax: 571-273-8300, and
Express Mail to:
Mail Stop: Amendment
Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1400

Howard Gutowitz
Eatoni
42 West 24th Street
New York, New York 10010
Fax: 212-337-1984

Dear Examiner Huynh,

- 1) Responsive to your requests, I attach amended Figs. 7 and 9.
- 2) I respectfully request that the currently presented amendment to claim 17 be entered. This claim as amended is allowable since the amendment brings the claim within the scope of claim 1, which has been allowed.



Howard Gutowitz
Inventor, and CEO
Eatoni Ergonomics, Inc.
Assignee